

DATE: 02/16/2010

**RE: Royce Rials v. Philip Morris, USA, Inc., ET AL.
Civil Action NO.: 03:06-CV-583(WHB) (LRA)**

Dear Judge Linda R. Anderson :

In December 2009 you signed an order per my request allowing me an additional ninety (90) days to locate another attorney. Unfortunately, I have been unable to find another attorney to take my case. As I stated before, my health is deteriorating and I have to rely on my wife to help me and she works a full time job. Due to the decline in my health my wife has had to use her personal time earned at work for my doctors appointments and will need her vacation time and remaining personal time for possible surgery I will be needing in the next few months. This has not left any time available for her to use locating an attorney. I did not want my case dismissed. But regrettably, due to the circumstances described above, I do not think I will be able to obtain an attorney. I appreciate and thank-you for granting the additional time. If this case is dismissed I would want it to be with out prejudice.

Sincerely,

Royce Rials
Royce Rials

